

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MARIE HARRIS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:16-cv-843-MHT-DAB
)	
ALABAMA COOPERATIVE)	
EXTENSION SYSTEM,)	
)	
Defendant.)	

REPORT and RECOMMENDATION

This matter comes before the Court on the motions (Doc. 36, 46, 48) by pro se Plaintiff to withdraw the action or dismiss the case. Also pending is Defendant's Motion for Summary Judgment (Doc. No. 36). The Court issued an Order (Doc. No. 45) admonishing the Plaintiff of her responsibilities in prosecuting the action pro se, and the District Judge issued an Order to Show Cause (Doc. No. 47) why the case ought not be dismissed. Plaintiff responded with the requests to dismiss the case as noted above, and Defendant responded not at all. Upon consideration, it is apparent that Plaintiff does not wish to pursue the claims in this case, at least at this time, and Defendant does not object to its dismissal.

CONCLUSION AND RECOMMENDATION

Accordingly, for the reasons as stated, it is the **RECOMMENDATION** of the Magistrate Judge that the Motions to Dismiss be **GRANTED**, that the Motion

for Summary Judgment be **DENIED** as moot, that the case be dismissed without prejudice (all parties to bear their own costs) and that the Clerk be directed to close the docket.

It is **ORDERED** that the parties shall file any objections to the said Recommendation on or before **December 4, 2017**. Any objections filed must specifically identify the findings in the Magistrate Judge's Recommendation to which the party objects. Frivolous, conclusive or general objections will not be considered by the District Court. The parties are advised that this Recommendation is not a final order of the court and, therefore, it is not appealable.

Failure to file written objections to the proposed findings and recommendations in the Magistrate Judge's report shall bar the party from a *de novo* determination by the District Court of issues covered in the report and shall bar the party from attacking on appeal factual findings in the report accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982). *See Stein v. Reynolds Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982).

RESPECTFULLY RECOMMENDED this 20th day of November, 2017.

A handwritten signature in black ink, appearing to read "David A. Baker", written over a horizontal line.

David A. Baker
United States Magistrate Judge